



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ORCHID ISLAND TRS, LLC (formerly
known as Opteum Financial Services, LLC) : 07 Civ. 9550 (LLS)
and BIMINI CAPITAL MANAGEMENT,
INC. (formerly known as Opteum Inc.) :

Plaintiffs, :

v. :

INDYMAC BANCORP, INC. and : **MOTION ON CONSENT TO ADMIT**
INDYMAC BANK, FSB, : **COUNSEL PRO HAC VICE**

Defendants. :

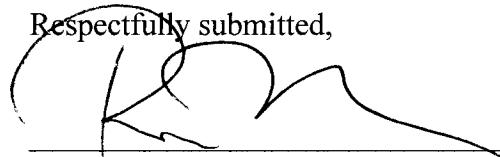
Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the
Southern and Eastern Districts of New York, and with the consent of all parties, I, Robert
Novack, a member in good standing of the bar of this Court, hereby move for an Order allowing
the admission *pro hac vice* of

Mary L. Moore
Edwards Angell Palmer & Dodge LLP
One Giralta Farms
Madison, New Jersey 07940
P: (973) 520-2300
F: (973) 520-2600

Mary L. Moore is a member in good standing of the Bar of the State of New Jersey.

There are no pending disciplinary proceedings against Mary L. Moore in any State or Federal court.

Dated: April 27, 2008
New York, New York

Respectfully submitted,


Robert Novack
EDWARDS ANGELL PALMER & DODGE LLP
750 Lexington Avenue
New York, NY 10022
P: (212) 308-4411
F: (212) 308-4844

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORCHID ISLAND TRS, LLC (formerly known as Opteum Financial Services, LLC) and BIMINI CAPITAL MANAGEMENT, INC. (formerly known as Opteum Inc.) : 07 Civ. 9550 (LLS)
Plaintiffs, :
v. : **AFFIDAVIT OF ROBERT NOVACK**
INDYMAC BANCORP, INC. and : **IN SUPPORT OF MOTION TO**
INDYMAC BANK, FSB, : **ADMIT COUNSEL PRO HAC VICE**
Defendants. :

STATE OF NEW JERSEY)
) ss:
COUNTY OF MORRIS)

ROBERT NOVACK, being duly sworn, hereby deposes and says as follows:

1. I am a member of the bar of this Court and of the firm of Edwards Angell Palmer & Dodge LLP, which represents plaintiffs in this matter. I am familiar with the proceedings in this case and make this affidavit based on my personal knowledge of the facts as set forth herein and in support of plaintiffs' motion to admit Mary L. Moore as counsel pro hac vice to represent plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in the State of New York in 1985. I am also admitted to and am in good standing with the bar of the United States District Court for the Southern District of New York.

3. I have been a colleague of Ms. Moore for several years. I know that she observes the highest standards of professionalism and of ethical conduct, is a skilled attorney experienced in Federal practice, and is familiar with the Federal Rules of Civil Procedure.

4. We have conferred with opposing counsel who represented to me that he consents to the relief requested by this motion.

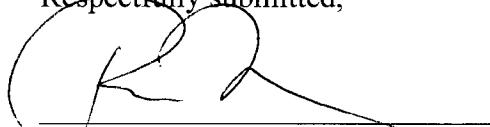
5. Annexed hereto is the affidavit of Ms. Moore, to which is annexed as an exhibit a certificate of good standing issued within the past 30 days by each state in which she is admitted to the bar.

6. I respectfully submit a proposed order granting the admission of Mary L. Moore, *pro hac vice*, enclosed herewith.

WHEREFORE it is respectfully requested that the motion to admit Mary L. Moore, *pro hac vice*, to represent plaintiffs in the above captioned matter, be granted.

Dated: April 21, 2008
Madison, New Jersey

Respectfully submitted,



ROBERT NOVACK

Sworn to before me this
21st day of April, 2008

Theresa Lozano
Notary Public
THERESA LOZANO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 5/12/2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORCHID ISLAND TRS, LLC (formerly known as Opteum Financial Services, LLC) and BIMINI CAPITAL MANAGEMENT, INC. (formerly known as Opteum Inc.) : 07 Civ. 9550 (LLS)
Plaintiffs, :
v. :
INDYMAC BANCORP, INC. and INDYMAC BANK, FSB, : **AFFIDAVIT OF MARY L. MOORE
IN SUPPORT OF MOTION TO
ADMIT COUNSEL PRO HAC VICE**
Defendants. :

STATE OF NEW JERSEY)
) ss:
COUNTY OF MORRIS)

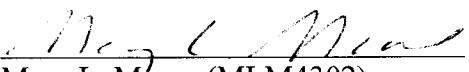
MARY L. MOORE, being duly sworn, hereby deposes and says as follows:

1. I am counsel with the law firm of Edwards Angell Palmer & Dodge LLP.
2. I submit this Affidavit in support of plaintiffs' motion for admission to practice *pro hac vice* in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of New Jersey and I am also admitted to the United States District Court for the District of New Jersey.
4. There are no pending disciplinary proceedings against me in any State or Federal court, and I have never been the subject of any disciplinary proceeding.

5. I have read and am familiar with (a) the provisions of the Judicial code (Title 28, U.S.C. which pertain to the jurisdiction of, and practice in, the United States District Court); (b) the Federal Rules of Civil Procedure; (c) the Federal Rules of Evidence; (d) the Local Rules of the United States District Court for the Southern District of New York; and (e) the New York State Lawyer's Code of Professional Responsibility as adopted from time to time by the Appellate Divisions of the State of New York, and will faithfully adhere thereto.

Dated: April 21, 2008
Madison, New Jersey

Respectfully submitted,


Mary L. Moore (MLM4302)

Sworn and subscribed to before
me this 21st day of April 2008

Theresa Lozano
Notary Public

THERESA LOZANO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 5/12/2010

Supreme Court of New Jersey

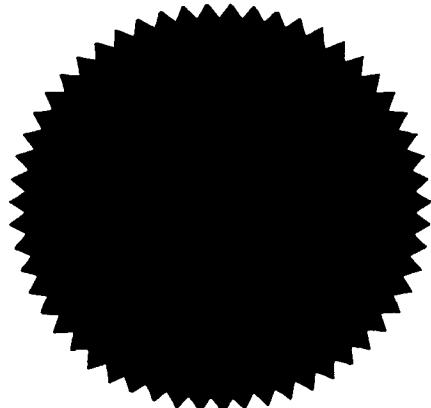


Certificate of Good Standing

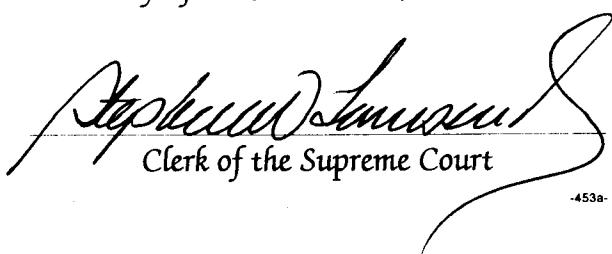
This is to certify that **MARY L MOORE**
(No. **023421991**) was constituted and appointed an Attorney at Law of New Jersey on **December 19, 1991** and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Supreme Court, at Trenton, this 11TH day of April , 20 08


Stephen J. Zuckerman
Clerk of the Supreme Court

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ORCHID ISLAND TRS, LLC (formerly known as Opteum Financial Services, LLC) and BIMINI CAPITAL MANAGEMENT, INC. (formerly known as Opteum Inc.) : 07 Civ. 9550 (LLS)
Plaintiffs, :
v. : **ORDER FOR ADMISSION PRO HAC
VICE ON WRITTEN MOTION**
INDYMAC BANCORP, INC. and INDYMAC BANK, FSB, :
Defendants. :

Upon the motion of Robert Novack, attorney for Plaintiffs Orchid Island TRS, LLC (f/k/a Opteum Financial Services, LLC) and Bimini Capital Management, Inc. (f/k/a Opteum Inc.), and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Mary L. Moore
Edwards Angell Palmer & Dodge LLP
One Giralda Farms
Madison, NJ 07940
P: (973) 520-2300
F: (973) 520-2600
mmoore@eapdlaw.com

is admitted to practice *pro hac vice* as counsel for the Plaintiffs Orchid Island TRS, LLC (f/k/a Opteum Financial Services, LLC) and Bimini Capital Management, Inc. (f/k/a Opteum Inc.), in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court,

including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, NY
_____, 2008

United States District/Magistrate Judge